



# Town of New Windsor

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## OFFICE OF THE PLANNING BOARD

WEDNESDAY - NOVEMBER 13, 2002 - 7:30 PM

### TENTATIVE AGENDA

#### CALL TO ORDER ROLL CALL

APPROVAL OF MINUTES DATED: SEPTEMBER 25, 2002

#### ANNUAL MOBILE HOME PARK REVIEW:

- a. Hill & Dale Mobile Home Park

#### PUBLIC HEARING:

1. BEDETTI – BEAUTY SHOP (02-33) 5 CONTINENTAL DRIVE - Proposed home beauty shop.
2. BEN HARRIS SITE PLAN (02-01) RIVER ROAD (COPOLLA) Proposed office building.

#### REGULAR ITEMS:

3. KOCHAN, JOHN SUBDIVISION (02-08) UNION AVENUE (HILDRETH)  
Proposed 2-lot residential subdivision.
4. HEADLEE MANAGEMENT (ARBY'S RESTAURANT) (02-34) RT. 32 (SHAW)  
Proposed new construction – 3,450 sf building with associated site improvements.
5. FIRST COLUMBIA SUBDIVISION (02-200) SEQRA ISSUES

#### CORRESPONDENCE

#### DISCUSSION

6. CENTRAL HUDSON GAS & ELECTRIC – UNION AVE (THOMAS)
7. DR. PRABHU – ADDITION – FROM WORK SHOP
8. COVINGTON ESTATES (HARP) Discussion of historical review requirements.

#### ADJOURNMENT

(NEXT MEETING – DECEMBER 11, 2002)

November 13, 2002

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TOWN OF NEW WINDSOR

PLANNING BOARD

NOVEMBER 13, 2002

MEMBERS PRESENT: JAMES PETRO, CHAIRMAN  
RON LANDER  
JERRY ARGENIO  
THOMAS KARNAVEZOS

ALSO PRESENT: MARK EDSALL, P.E.  
PLANNING BOARD ENGINEER

MICHAEL BABCOCK  
BUILDING INSPECTOR

ANDREW KRIEGER, ESQ.  
PLANNING BOARD ATTORNEY

MYRA MASON  
PLANNING BOARD SECRETARY

HENRY KROLL  
HIGHWAY SUPERINTENDENT

ABSENT: JIM BRESNAN

REGULAR MEETING

MR. PETRO: I'd like to call the November 13, 2002 meeting of the New Windsor Planning Board to order. Please stand for the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

APPROVAL OF MINUTES DATED SEPTEMBER 25, 2002

MR. PETRO: Has everyone had a chance to read the minutes dated September 25, 2002? Entertain a motion to accept them.

MR. ARGENIO: Second it.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board accept the minutes as written for that date.

ROLL CALL

MR. ARGENIO	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: I want to advise the people that we're absent one member, it takes three to have a quorum and we have four here tonight.

ANNUAL MOBILE HOME PARK REVIEW:

HILL & DALE MOBILE HOME PARK

Mr. Hershel appeared before the board for this review.

MR. PETRO: Mike, someone from your department been to the site? Do you have any comments, outstanding problems?

MR. BABCOCK: Yes, we have, there's a few units that need 911 numbering and a few units that need some vegetation matters taken care of. I have talked it over with the applicant, he's agreed to take care of this as soon as possible.

MR. HERSHEL: I believe that the vegetation aspect has been taken care of, 911 we'll take care of, you're all done with it.

MR. BABCOCK: He's not done with the 911 numbering, he just found out tonight that he needs it.

MR. HERSHEL: But the vegetation was taken care of.

MR. PETRO: If he's satisfied we're not going to hold it up. Do you have a check for \$100 made out to the Town of New Windsor?

MR. HERSHEL: Sure.

MR. PETRO: Any further discussion? If not, entertain a motion for the one year extension.

MR. LANDER: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board entertain a one year extension. Is there any further discussion?

ROLL CALL

MR. ARGENIO                      AYE

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MR. KARNAVEZOS        AYE  
MR. LANDER            AYE  
MR. PETRO             AYE

MR. PETRO: Let the minutes reflect that the Town of New Windsor Highway Superintendent is sitting in with us tonight, Mr. Henry Kroll. Thank you for coming in.

PUBLIC HEARING:

BEDETTI - BEAUTY SHOP (02-33)

Mr. and Mrs. Bedetti appeared before the board for this proposal.

MR. PETRO: Proposed home beauty shop and I see Mr. Bedetti is here with his wife to represent himself. We have plans for this, do you have one that you can put up on that? Do you have a spare you can just leave it facing us? If someone here wants to look at it, we'll turn it around.

MR. BEDETTI: This represents our parking space.

MR. PETRO: Property is located in the R-4 zoning district, proposed use permitted as a special use permit, that's why he's here. It's a mandatory public hearing which we're having tonight and submittal appears to indicate adequate off-street parking for residents plus the proposed, I talked to them earlier and is this one chair Mrs. Bedetti has, it's herself operating just as one chair in the house. So I certainly don't see a problem with it. It's almost a matter of formality that she's here and procedure. Why are we doing a public hearing tonight if we didn't take lead agency?

MR. EDSALL: You're the only involved agency and I believe because of the simple nature of the application you went ahead and scheduled this for a public hearing for the first visit.

MR. PETRO: Motion for lead agency.

MR. LANDER: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board make itself lead agency for the Bedetti home professional office and beauty shop.

ROLL CALL

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MR. ARGENIO	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: October 31, 2002, 64 addressed envelopes went out containing notice of public hearing. Is there anyone here who'd like to speak for or against this application, be recognized by the Chair, come forward, state your name and address. Is there anyone here? Let the minutes reflect that no one is here for this. Entertain a motion to close.

MR. ARGENIO: So moved.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board close the public hearing for the Bedetti home professional office.

ROLL CALL

MR. ARGENIO	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: Motion for negative dec.

MR. LANDER: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare negative dec for the Bedetti home professional office. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE

MR. PETRO

AYE

MR. PETRO: Do any of the board members have any questions, anything that they want to go over? Mark's been over it very thoroughly, Mike's been over it, I just want to say they're here for a special use permit, it's one chair in the house and he has more than adequate parking. Any questions from any of the board members? Motion for final approval?

MR. ARGENIO: So moved.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Bedetti home professional office on 5 Continental Drive. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO

AYE

MR. KARNAVEZOS

AYE

MR. LANDER

AYE

MR. PETRO

AYE



BEN HARRIS SITE PLAN (02-01)

Mr. Anthony Copolla appeared before the board for this proposal.

MR. PETRO: This application proposed 26,700 square foot office building on a 3.23 parcel. Plan was previously reviewed at the 10 April, 2002, 14 August, 200, 29 October, 2002 meetings. The application is before the board for a public hearing at this time. We sent him to Poughkeepsie, did you get anything, Mark from DOT, either Mark or--

MR. EDSALL: We did get a response but that was the response that was critical of the multiple accesses. I, since the last meeting, forwarded up a copy of the minutes, a copy of a report from Bob Rogers supporting all the access points and I have not heard from them since. I think Myra, you've called twice.

MS. MASON: And I also faxed some additional copies on the 6th of November.

MR. EDSALL: So we're not too successful in getting the DOT to respond.

MR. PETRO: Henry, Union Avenue is a town road.

MR. KROLL: Old Route 9W.

MR. PETRO: And old Route 9W.

MR. KROLL: Yes.

MR. PETRO: We're going to the State for what, just the one that's on--

MR. KROLL: River Road.

MR. LANDER: River Road and 9W.

MR. PETRO: He's telling us that's a town road, just that one, I guess so that's what we're waiting on, you've already reviewed yours, right?

MR. KROLL: Yes.

MR. PETRO: Anything here from Henry? What's Henry say?

MS. MASON: I have nothing.

MR. ARGENIO: Want me to ask him?

MR. PETRO: Yes. We have the privilege of having the Superintendent with us, so we don't have to read it.

MR. COPOLLA: Okay.

MR. PETRO: All right, why don't you give us a quick overlay of what we're doing.

MR. COPOLLA: Real quickly, like you have already said, it's going to be a four level 26,700 square foot building, the most predominant feature of the site there's a 20 foot exchange vertically from the high side of the site on 9W to the low side of the site on River Road that's basically enabling us to put a three level office building with a ground floor garage. Basically, we're using the lower level parking 15 parking spaces in the garage and pushing the building up out of the ground, so from the high side of the road, it's going to be two stores, from the River Road side, you'll see basically a four story building. We basically conform with all aspects of zoning, the use is allowed, it's basically medical offices, also labeled retail use. We conform with setbacks and parking, we're providing 178 parking spaces, one space per 150 square feet gross office space, we have essentially done two engineering reports, one for drainage, we have submitted that to Mark. We're using basically a large infiltrator system basically going to slow the storm water drainage down through the site. There's one existing large catch basin on the low point of the property that goes I think there's a 30 inch existing culvert that goes under River Road, we have calculated our drainage to basically equal out from pre-development to post-development. We have also done an engineering report for the water and the sewer, there's a couple hydrants located over here, we're

proposing two more hydrants on our property. That's all been detailed. Building's going to be fully sprinklered. We have already shown landscaping, site lighting, we have been to numerous workshops with Mark working out all those details.

MR. PETRO: Okay, Mark, back to the DOT for a second, is there 30 days, has it elapsed, in other words, am I going to be able to do a negative dec after the public hearing tonight or we still have to wait?

MR. EDSALL: Thirty days pertains to determining yourself to be lead agency. As far as the negative dec, there's not a clock of similar nature and until we get a response from them at least from the drainage aspect, I think we really can't do a negative dec, it's, unfortunate, I wish we can do something for the applicant but we're going to have to keep pushing DOT.

MR. PETRO: October 28, 2002, 12 addressed envelopes were mailed out with the notice of public hearing for this applicant. Is there anyone here who'd like to speak for or against this application, be recognized by the Chair and come up and state your concerns. Is there anyone here? Let the minutes reflect that no one is here for this site plan for the public hearing so I'll entertain a motion to close the public hearing.

MR. LANDER: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board close the public hearing for the Ben Harris site plan on River Road. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: At this time, I'm going to open it up to the board for further comment. Mark, I see you're saying there are no major outstanding or technical issues with regard to this plan. Once we have comments from the public which weren't too lengthy, I'll continue my final review of the submittal. Obviously, you're not going to have anything new from the public.

MR. EDSALL: I'll give it a final look, if we get DOT to write off, I will finish my review of the drainage. I think the plans in good shape, we just need DOT to respond.

MR. PETRO: Do you have anything else?

MR. COPOLLA: I think that's the right thing, we had a problem before with the past site plan with DOT came in late, changed a lot of the issues, so let's get DOT to make their standard comment and I think we'll be fine.

MR. LANDER: Just one thing, all the drainage is going through River Road?

MR. COPOLLA: Yeah, there's an existing 30 inch box culvert that's on our property on our side, I'm sorry, 24 inch here that's existing and basically, all our catch basins, all our roof drainage is all going into a subsurface infiltrator system here, we tested the soil that slows it down then it basically goes back out the way it has been going.

MR. PETRO: I would say there's a good bet this would all wind up in the river.

MR. COPOLLA: Yeah. I walked down there a little bit, it's not too far, there's a ravine on the other side.

MR. PETRO: I'll tell you what, you're done for tonight. Thank you.

MR. COPOLLA: I appreciate it. Thank you.

REGULAR ITEMS:

KOCHAN, JOHN SUBDIVISION (02-08)

Mr. William Hildreth appeared before the board for this proposal.

MR. PETRO: Proposed two lot residential subdivision. And your, let's see, this application involves subdivision of 3.9 acre parcel into two single family residential lots. What zone is this?

MR. BABCOCK: R-4.

MR. HILDRETH: This is R-4, I believe.

MR. PETRO: Applicant was referred to the Zoning Board of Appeals following April meeting, you obtained all necessary variances, why did you go there?

MR. HILDRETH: Why did I go to the Zoning Board? I was referred to the ZBA for lot width on lot number 2 because of the 60 foot strip going back and for the multi-family use which at the ZBA was determined to be pre-existing, so we got that cleared out and we got the variance for the lot width on lot number 2.

MR. PETRO: Where is this, up passed Tad Seaman's place?

MR. HILDRETH: Right across the street.

MR. BABCOCK: It's down below.

MR. HILDRETH: There's one lot in between.

MR. EDSALL: See the Town Hall driveway right on the plan.

MR. HILDRETH: This was seen as you say last April, referred to the zoning board, we saw, we went to the Zoning Board in June, got our variances, we sent 93 notices out, three people showed up and didn't have anything negative to say.

MR. PETRO: So you had a public hearing?

MR. HILDRETH: We had a public hearing. I have addressed Orange County Department of Public Works' comments, sent them a copy, I haven't heard back from them. And I have revised the EAF to reflect the fact that we needed the variance, there were no other issues at the time from the planning board and we got our variances and we're back.

MR. PETRO: Lead agency coordination letter was sent on the third of June, I would certainly say that time has elapsed. Entertain a motion for lead agency.

MR. LANDER: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency for the Kochan subdivision on Union Avenue. Is there any further discussion? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: Let's talk about a public hearing, I know Mr. Hildreth mentioned once or twice already that he's had a public hearing and you said no one was there or three people?

MR. HILDRETH: Three people showed up, they had questions and they were not opposed at the ZBA.

MR. PETRO: You concur with that, Mr. Krieger?

MR. KRIEGER: Yes, I do.

MR. PETRO: Not that I doubt what you're saying but let's see what the attorney says. I think it's very minor in nature and I would entertain a motion to waive

the public hearing under our discretionary judgment.

MR. ARGENIO: So moved.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board waive the public hearing for the Kochan subdivision on Union Avenue.

ROLL CALL

MR. ARGENIO	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: Motion for negative dec.

MR. LANDER: So moved.

MR. KARNAVEZOS: Second it.

MR. LANDER: Motion has been made and seconded that the New Windsor Planning Board declare negative dec for the Kochan subdivision on Union Avenue. Is there any further discussion? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. LANDER: That's some sewer lateral you have here, what's that, 320 feet, what are they, 40 foot?

MR. HILDRETH: It's 40 feet.

MR. EDSALL: Just a suggestion that before you put it in in that location that you may want to contact if there's been additional progress made on the Seaman subdivision which is to your east, they are putting a sewer line that that's probably only quarter of the

distance away, you might be able to, it's going to be a public sewer in a private road but you might be able to work out an arrangement.

MR. HILDRETH: Does that touch this property?

MR. EDSALL: Yeah, right, where the 236 dimension is you can probably get into the sewer.

MR. HILDRETH: Timing is everything if it's in when he wants to build.

MR. ARGENIO: Who requires all the cleanouts?

MR. PETRO: Sewer department every 50 feet.

MR. ARGENIO: Regardless whether there's a bend or not every 50 feet?

MR. EDSALL: 75 feet.

MR. BABCOCK: Is it a six inch line?

MR. HILDRETH: No, it's four inch.

MR. EDSALL: Ultimately, before they issue the permit, they'll nail that down with you but you may have some benefit of a better location and that may affect the elevation of the house that you construct so I'd give it a little forethought.

MR. HILDRETH: Elevation-wise, there's plenty of room to maneuver, it's not tight at all.

MR. EDSALL: But you're going downgrade away from their subdivision so you--

MR. HILDRETH: The way this is shown, that's correct.

MR. EDSALL: If you want to go back to the Seaman subdivision, you may have to keep the house up or put an ejector in, either way, it will work.

MR. HILDRETH: Yeah.



MR. PETRO: If you make the basement 75 feet, you should be able to gravity feed right into it.

MR. LANDER: Is the County going to let you cut the road or bore?

MR. HILDRETH: Their comments have been responded to, it's back in their hands, they didn't have any comments that said no, we couldn't, just details, that's all.

MR. PETRO: Mark, you don't have anything else other than 911 add numbering and Orange County Department of Public Works?

MR. EDSALL: I see no reason why you couldn't look at the conditional approval and just let him get their issues taken care of.

MR. PETRO: Well, you have those two that I just read into the minutes so we'll do that as a subject to, I don't think there's anything else. You have the zoning boards comments on the map?

MR. HILDRETH: Yes, it was just a matter of dates of the variance and what the variance was for, lot width, it's done.

MR. PETRO: Motion for final approval. I'll read the subject-to's in.

MR. LANDER: So moved.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Kochan subdivision on Union Avenue subject to OCDPW, response back from them with an approval and 911 numbering. Any other comments from the members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. KARNAVEZOS	AYE

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MR. LANDER AYE

MR. PETRO AYE

MR. PETRO: We have fire approval 4/18/02.

HEADLEE MANAGEMENT (ARBY'S RESTAURANT) (02-34)

Mr. Gregory Shaw of Shaw Engineering appeared before the board for this proposal.

MR. PETRO: Proposed new construction 3,450 square foot building with associated site plan improvements and for the minutes, Franny, I have to note that I am 50% stockholder of the corporation that owns the land so I will excuse myself and Mr. Lander will run the meeting.

MR. SHAW: Good evening, for the record, my name is Gregory Shaw and I'm with Shaw Engineering representing Headlee Management Corporation. As the chairman mentioned, this is a proposed 90 seat Arby's Restaurant to be located on the west side of Windsor Highway immediately north of the Kentucky Fried Chicken which is presently under construction. The parcel is two acres in size and it's a permitted use in the Design C shopping district. As I mentioned, it will have a capacity of 90 seats. And according to your zoning, we're obligated to provide a total of 30 parking spaces. We're providing a total of 58 spaces so we're well in excess of that. We realize that the property abuts a residential project, Washington Green, and with that, we have left a large area of the woods undisturbed, if I had to guess, it's probably about maybe 130 feet between the edge of the macadam pavement and the rear property line which abuts Washington Green. One point I'd like to bring to the board's attention with respect to Kentucky Fried Chicken that there's an access proposed on this plan as there was with Kentucky Fried chicken to interconnect the two parcels seeing they're owned by the same entity, it would make sense if somebody was at Kentucky Fried Chicken and wanted to go to Arby's, they wouldn't have to go out on the state highway and into Kentucky Fried Chicken or vice versa and because they're run by the same entity, my client will have a lease over the Petro property and the lease property we're not going to provide mutual right-of-ways, what we would like to enter into the record though is that should one of the franchises be sold, then the document will have to be generated granting mutual right-of-way over the two pieces or have the interconnect removed. Presently on

the site there's minimal vegetation. It was recently removed. Along with the new building will be a brand new parking lot, we're proposing a new sanitary line, a water main proposed for domestic consumption and for fire protection. The highway entrance on Windsor Highway we'll have to get approval from the DOT for the highway entrance and for the utility hookups. The plans that are before you are complete, along with the site plan, the grading plan, there's an appropriate utility plans, landscaping plans, lighting plans and I may point out also that there's a masonry refuse enclosure which is the board's preference located on the property as it abuts to the northern property line so Mr. Lander, that's a brief overview and I will be happy to answer any questions the board might have.

MR. LANDER: Let me start off by saying I like the interconnect idea, then we have who, do we know who Route 32 Associates is?

MR. BABCOCK: That's John Miller.

MR. LANDER: It would be nice if they're interconnected.

MR. BABCOCK: He comes in, we can, probably where the dumpster area is and possibly locate that at a future date.

MR. LANDER: Or can we lose three spaces. Do you have--

MR. SHAW: Sure, we're almost double what we're obligated to provide.

MR. LANDER: Lose three spaces instead of losing the dumpster area and still have the interconnect which is good. All right, for the record, we have municipal water approved, sewer approved and municipal fire approved on 11/08 and 11/12/02.

MR. ARGENIO: Mr. Lander, Mr. Shaw, if I may, what's the purpose of the drainage swale in the pavement? Generally, it's a sheet flow to the curb line where it's controlled at the curb line and directed to the

catch basin or similar structure.

MR. SHAW: Basically, it's nothing more than a valley in the macadam pavement and what I am doing is using that to direct the flow to that center valley and have that valley directed towards the catch basin. What I am trying to do is to get the water to flow to the catch basin in very simple terms.

MR. ARGENTIO: I understand that but why not have the flow line at the curb line where the people who park there are not going to be walking through the water if it's raining? Usually, it sheetflows away from the building to the curb the furthest away or off the pavement, I'm wondering if there's an elevation feature or something on the site that's preventing you, preventing you from doing that.

MR. SHAW: There's an elevation feature, what happens there's going to be a lot of grading, we're going to be doing a lot of cutting on the southerly end and a lot of filling on the northerly end and it just worked easier with respect to the grading to direct it around from the back of the building. What happens is I have a large area that's relatively flat going from front to back, I can't put too much pitch in this front parking area, obviously from curb to curb from front to back is flat then I will, so I have to be able to wrap the water around the back and I have to do that with the swale cause I want to pitch it away from the building also. So by pitching it in this fashion pitching it away from the building, that's where I start my valley, okay, and I probably could take it and bring it over to the curb line quicker, all right, but what I did was I worked it over to this rip-rap swale so it went through the, I wouldn't say through the center of the parking area but through the side of it but I'm still going to have that swale there because I have to get water from the back of the building.

MR. LANDER: So we have a pretty good grade difference between the back property or the back curb line and the property line in the back?

MR. SHAW: Yes, you'll have an embankment that's going

to go from 285 which is the highest contour in the parking area to 295 which is the top of the embankment.

MR. LANDER: I see it says in the back here Washington Green gravel drive, what is it, an emergency access?

MR. SHAW: I believe that's what it is, yes.

MR. BABCOCK: Yes.

MR. LANDER: Do I see a flag pole on here?

MR. SHAW: Yes, you do.

MR. LANDER: Where is it?

MR. SHAW: In this location.

MR. LANDER: Okay, yup.

MR. ARGENIO: And you also indicate what's to be hung on there, unlike a lot of engineers.

MR. SHAW: Yes, I was directed years ago to make sure a flag is notated on the pole.

MR. ARGENIO: I think that you should maybe also look into some low ground cover in the front of the, between the state right-of-way and the curb maybe around the sign there, I see a sign indicated.

MR. SHAW: Yeah, that would make sense, to be honest with you, when I went to the workshop session last week, we discussed about the signage in that location and Mark brought that up.

MR. ARGENIO: You don't want to block the view of the building but that's just a big flat green.

MR. SHAW: Your engineer mentioned about some low growth plantings, in order to get the plans in the next day, I didn't have time to address it but I did plan on bringing it up at the next several editions.

MR. LANDER: Talking about the, between the line of the

curb and the building?

MR. ARGENIO: Yeah, I think it would green the place up nice.

MR. LANDER: How about the dumpster detail, what are you making this dumpster, what's it going to be made out of, the same material as the building?

MR. SHAW: Yes, if you note on the plan I have now six foot high, 24 x 12 foot masonry refuse using decorative block.

MR. LANDER: You're right on top of it, Mr. Shaw. We have a wood swinging gate?

MR. SHAW: Yes, with some bollards to protect the corners.

MR. LANDER: Town of New Windsor would like to assume lead agency under SEQRA review process.

MR. SHAW: I don't know if we can do that. I will defer to Mark, he's more of an expert on SEQRA than myself.

MR. EDSALL: Yeah, cause DOT's involved so I will ship that out if it's okay.

MR. LANDER: Need a motion?

MR. EDSALL: No, just as long as you agree.

MR. SHAW: Mr. Chairman, you're better at procedural issues than I am but I think where we are right now is I think the board I would ask that the board to decide whether or not they'd want a public hearing. If they do want a public hearing, then I'd like to schedule it for December seeing that there's only one more meeting between now and the end of the year. And we're in a position to move forward if that's what the board's decision is. Again, a public hearing is discretionary, you may decide not to have the public hearing, but if you do, I'd just like to get it out of the way tonight so we can conclude that issue by the end of the year.

MR. LANDER: Let me poll the board, myself, I think we should have a public hearing, just because Washington Green is behind it, but yet, you know, there's commercial on both sides, in front of it, but my vote is for a public hearing.

MR. ARGENIO: I think it's very high profile and I think if I lived in Washington Green, I'd want to know about it.

MR. KARNAVEZOS: Same.

MR. LANDER: So we're going to have a public hearing.

MR. SHAW: I can work out the details with Myra to have it for December. Thank you.

MR. LANDER: You have to submit your application to DOT.

MR. EDSALL: The other agencies, it's just a typo, they are not required but DOT is absolutely necessary.

MR. LANDER: What are we going to have in the front here, what's going to take the water from coming out this entrance and onto the road?

MR. SHAW: What I have, I have two catch basins right at the mouth, all right, and the reason they are somewhat removed from the very edge of the pavement is that they're discharging to the existing catch basin which is very shallow. So the closer I move to the highway, the lower in elevation I am. I can't get into that catch basin so what I did is I set them back far enough where they can drain into the basin so basically, any water that's moving will be caught by these two basins in the front where this small piece which is between the two basins and the valley will drain into the valley, then flow over land into the swale that's in front of the property but we're catching the majority of it and it's maybe 30 feet of pavement that's below the elevation of the basins.

MR. LANDER: I'm not really too concerned, that's the



State's problem.

MR. ARGENIO: That valley's in the pavement?

MR. SHAW: Yes, what's happening is if I go from the edge of the pavement towards the site, the DOT wants you to have a downgrading, okay, so that the water does not drain onto the highway. So as you're going from the edge of the pavement into the property, you're going at a negative 2 percent slope.

MR. ARGENIO: As you come up the property again.

MR. SHAW: Then I start rising.

MR. ARGENIO: What percentage of slope?

MR. SHAW: Probably going to be at 4 percent, maybe, so what happens is any water that's below these two basins that starts draining towards the highway will not drain onto the highway, it will hit this low point and be forced to flow in a northerly direction.

MR. ARGENIO: We'll see this again, right, Mr. Lander?

MR. LANDER: Oh, yeah, let me ask you about the lighting, Mr. Shaw, especially in the rear of the building, but yeah, how far away are the closest buildings, what would you estimate?

MR. SHAW: I really don't have that information, I just know that we're in excess of a hundred feet, all right, to a wooded area to get to the rear of our property line. I don't think our lighting will affect the residents at Washington Green.

MR. LANDER: Well, you can get with Myra, set up the public hearing, unless somebody else has another question for Greg?

MR. ARGENIO: No.

MR. LANDER: You're done.

MR. SHAW: Thank you.

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MR. LANDER: I'll turn the meeting back over to the chairman, Mr. Petro.

FIRST COLUMBIA SUBDIVISION (02-200)

Mr. Chris Bette appeared before the board for this proposal.

MR. PETRO: Mark, I think you're going to give us a lot of information about this applicant, correct?

MR. EDSALL: I will try to make this as brief as possible. As the board may recall, we circulated a copy of their proposed scope for the E.I.S., but before we go over the scope, I think we should get two procedural items out of the way which would be the first two items on comment 2, so why don't we do that and then I'll discuss the scope. We did circulate lead agency letter, we have received no one who wants to be lead agency, so I think it's all yours.

MR. PETRO: Motion to declare ourselves lead agency for the First Columbia New York International Plaza, Parcel H subdivision.

MR. ARGENIO: So moved.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board accept the lead agency for the First Columbia International Plaza Parcel H subdivision. Is there any further discussion? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: That the board declare positive declaration under the SEQRA and request preparation of the EIS for action. Form of a motion.

MR. LANDER: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the board firmly declare a positive declaration on the First Columbia New York International Plaza Parcel H subdivision. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. EDSALL: Just so the record is clear, notwithstanding the fact that this is a minor subdivision, the board had determined that at this point, it's appropriate and necessary that the board look at the total development of the New York International Plaza and get a comprehensive SEQRA review completed so that you can consider all the other parcels on the New York International Plaza site. Now that you're lead agency, you have already in discussions indicated a feeling that an EIS should include certain information. The applicant submitted a draft scope, it's been circulated to the members of the board as well you indicated an interest that we retain the services of a planning consultant to also review it and then his, through the review of the actual EIS itself. With the board's approval, Mr. Stuart Turner of Stuart Turner Associates has been retained, he's performed a review of the proposed scope. Attached to my comments are his suggestions to be included in the scope, I have included six items, comment number 3 I think what you need to do is discuss if there's any additional items this board wants, if not, you may just want to adopt Stu's list and my list and then ask the applicant to include that into their scope as proposed.

MR. PETRO: What's exactly on that list, Mark?

MR. EDSALL: In our list?

MR. PETRO: Our list and Stu's list, just further, what

further comments?

MR. EDSALL: Additional clarification of alternatives, just some re-orientation of some of the sections that they listed ensuring that the traffic study includes both traffic considerations for New York International Plaza but as well the Stewart Terrace Housing Projects, GMH that you're already reviewing, also any background data that's already reflected in DOT's analysis with the Drury Road interconnect to the airport, just so that we have coordinated all the overall development patterns that will occur, we have identified certain intersections that we wanted evaluated, we want to evaluate utilities to make sure that we consider at this point in what direction utilities will be brought in and that there's adequate capacity so we don't have to go back and re-excavate and re-feed later on and have it haphazard. So those kind of things we just went through and added some points to their, list their list was very comprehensive to start off with, these are just some additions. One key item that I added in was as you know, the Town Board has leased this property, the Town of New Windsor via the Town Board has leased this property to First Columbia, there are performance and development standards that were agreed to as part of the lease and what I am suggesting is that those be listed into this EIS, so that that, that quality of development can be recognized so that we ensure that occurs during the individual approvals so those kinds of things.

MR. PETRO: Okay, resolution requiring preparation of the DGEIS, that's number ten with Stu.

MR. EDSALL: Why don't we not, that was the one that requires the EIS you just did as my second bullet item so that's a repeat comment procedurally.

MR. PETRO: Okay.

MR. EDSALL: I think the next step would be if the board has any additions to note them for the record, if not, just adopt Stu and my comments and ask First Columbia to take care of them.

MR. PETRO: The light that's going up I guess as we speak now on 207 in front of the medical building, is that part of this EIS?

MR. EDSALL: It will be recognized in here, that was a unique case where before the traffic warrants were met which would have been documented in the EIS, you're asking for, it was recognized by the State that the sight lines are such that that intersection warranted a light based on its geometric conditions, rather than the traffic flow, so the State authorized that traffic signal in advance. Normally, it would have been called for in this study, but it's kind of the cart in front of the horse but a good cart in this case.

MR. PETRO: Any of the members have anything else that they would like to have put into the scoping here to add to Stu or add to our own findings or to First Columbia's findings? Mark, are we going to entertain a motion to accept these findings tonight?

MR. EDSALL: Well, they are not findings, I would just by resolution adopt our comments and direct the applicant to include them in the scope.

MR. ARGENIO: So we're adopting our comments plus the comments from Stuart Turner?

MR. EDSALL: Right.

MR. PETRO: To add to their scope.

MR. ARGENIO: Understood, he's got things in here that I would never have thought of, this was a good thing.

MR. EDSALL: That's why I really think it's a good idea that Stu is helping us out. I had a lengthy meeting with him to go over the whole project and I think it's going to work out fine.

MR. PETRO: Entertain a motion from the board to add our findings or our comments and Stu Turner's comments and add them to the preparation of the First Columbia EIS. Is there any further comments? I'll take a motion.

MR. ARGENIO: So moved.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board accept the comments from Stu Turner and the comments from Mark Edsall and add those to the First Columbia New York International Plaza EIS. Is there any further discussion from the board members or Mark? Anything else? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. EDSALL: Last but not least, the SEQRA regulations are written, it's necessary that the board allow for public input and input from involved agencies relative to the scope. There's two ways of doing it, one to have an actual public scoping session and the other way is to publish a notice that you have pos dec'd this application and the scope is available and if anyone wants to review it and comment on it, they can.

MR. PETRO: We'll do it the second way.

MR. EDSALL: I was just going to suggest the second way.

MR. PETRO: Can you take care of that?

MR. EDSALL: And what I would do is just have the, unless we hear an objection, allow, as long as we have you authorize us to make the notice and then if we do not receive any comments or if the comments can be readily added because they make sense and the applicant agrees, that we go ahead and release that new scope, if there's a new scope. If not, they'll work on this one to the applicant and allow them to proceed in preparation of the document. So I will work with Myra and the applicant to get the notice out.

MR. PETRO: How long a period of time once you make the--

MR. EDSALL: That's the next discussion. If we can get the scope out in a very quick form early next week that we notice it and allow comments up until the fourth of December, keep in mind that this is not, doesn't need to be a lengthy period because you're not asking for anybody to review a document, just asking them to comment, things they want added to the document, so should be pretty efficient for them to come in and look at it. The idea of having it the fourth is the day of the workshop which allows us to meet with them, if they care to have something to submit for the meeting on the 11th, it's available for them, but I would want to have the notice in so that there's at least a two week period which would be at least by the 20th next Wednesday.

MR. PETRO: Is anyone opposed to that? Then I guess we're authorizing you to do so.

MR. EDSALL: Okay, thank you.

MR. PETRO: We being the board.

MR. EDSALL: That's it for First Columbia, unless the applicant has something I missed.

MR. BETTE: I just want to clarify that my intention was to revise the scope and have that public notice in place and be on the board for the December meeting. Hopefully, we'll have our document tweaked to respond to the comments and ready to roll.

MR. PETRO: Your name, sir, for the minutes?

MR. BETTE: My name is Chris Bette, I'm with First Columbia.

MR. PETRO: I assume we're speaking the same language.

MR. EDSALL: Exactly the same thing.



DISCUSSIONDR. PRABHU - ADDITION

MR. EDSALL: What we have is a referral from the building department where the applicant is proposing on Route 9W everybody is familiar with Dr. Prabhu's office, medical office, put a 20 foot by 44 foot addition. And the building department referred it over and they're showing compliance with the parking requirements because they've got a whole row of parking in front of the building. The only problem is that wasn't part of your approval, so I took a ride down there and it appears that they have the right number of parking spaces. My only problem is I don't know if they're out in the state right-of-way, I don't know whether or not these parking spaces are on the neighbor's property. So I really think we need to just ask them for an updated plan and assuming that they have done everything on there own property and with the right dimensions they should be in and out of here in one night. But I really am hesitant to, given the quality of this plan that dates back a number of years.

MR. LANDER: Can I see that, Mark?

MR. EDSALL: I'm really hesitant to tell you there's no problem because I have no way of verifying it.

MR. LANDER: I was there today.

MR. ARGENIO: I agree.

MR. EDSALL: A lot of the required parking spaces have signs indicating that they're private parking spaces, if you park there, you're going to get towed, which quite doesn't comply with your zoning but we can deal with that.

MR. PETRO: Once I give him parking spots for a car lot, then they put the display vehicles in all the parking spots.

MR. EDSALL: Same idea.

MR. ARGENIO: Who'd do that?

MR. PETRO: Most of the guys that I rent to.

MR. LANDER: So all we have to do is find out if they're in the state right-of-way.

MR. EDSALL: They need a real surveyed site plan.

MR. ARGENIO: I agree.

MS. MASON: Application or anything?

MR. EDSALL: We need a full application for a site plan amendment for an addition and new additional parking. But they're really going to do an as-built for the parking so I'll ask them, Mike and I will let them know and we'll probably ask Myra to let them know.

MR. PETRO: Very good.

CENTRAL HUDSON

Mr. John McManus, Mr. Huyah Nguyen and Mr. Wayne Mancroni appeared before the board for this proposal.

MR. MCMANUS: John McManus, Central Hudson. What we're here preliminarily to give an idea of what we intend to do, expand the Union Avenue substation. Again, I'm filling in for Robert, he had a death in the family so he won't be here and I'm not up to speed so you'll have to forgive me. We did put together a preliminary site plan and drawing and our engineer can kind of explain it, what we have and what we're doing, which is easier. Put it up here?

MR. PETRO: Right up on the board.

MR. MANCRONI: I'm Wayne Mancroni.

MR. NGUYEN: I would like to explain it to you. This is existing Central Hudson substation that we have here right now and last year, we installed a new circuit from our substation and the circuit up to now is almost full load and after we do the planning study, if these new substations won't be built by next year we might not have enough power to supply the area. So now the reason we propose to build a new station right next to the existing station to make connection between here and here and that will provide more to support the load here.

MR. PETRO: What's the colored area on the map? What's that.

MR. NGUYEN: This is the wetland area, that's a wetland area that we get a survey.

MR. PETRO: Nothing like building electrical in a wetland.

MR. NGUYEN: No we're not building it there.

MR. PETRO: Get a shock there, huh?

MR. NHUYEN: This is how we plan to build a station,

it's the property that we own now and this is just around here, we try to get the station within our property as much as we can. There's a driveway we have reviewed with the County over here for, it's a proposal for now.

MR. LANDER: Now all you're putting on there is exactly what you have right next door to the proposed, okay, there's not going to be any building or just--

MR. NGUYEN: We do have some, not really a building, but we say a control house, there's equipment in there.

MR. LANDER: Panel boxes?

MR. MCMANUS: Switch gear and panel boxes.

MR. LANDER: Now, how do you plan on taking cause there's a big hill there, right, you're going to excavate that hill?

MR. NGUYEN: Yeah, we have to cut and fill that area because the slope comes down, it's very high, we have to cut and fill that to make sure that we get a platform for the substation.

MR. LANDER: Is it going to be the same elevation or stepped up?

MR. NGUYEN: It will be stepped up because it's too much cut and it costs a lot of money for the cuts and you see a lot of rock, we did not even test the soil yet to see how much rock is available here, lot of rock costs a lot of money.

MR. LANDER: So leading up to my other question was would you need a retaining wall between your fence line and your property line? Would there have to be a retaining wall there?

MR. NGUYEN: Yeah. Right now, we're studying do we need it or we don't need it, it depends on how we locate our area inside. If we locate it within the this area with a lot more room so we can put the slope a little bit where we might not need it but if we need

to cut more steep slope, we might need a retaining wall for this.

MR. LANDER: How close is that? We know where the property line is, but how close is that to the house? There's a residence right next door, do you know that?

MR. NGUYEN: Yes, the residence over here but from the fence to our property line here, this is the fence of the substation, we plan to keep it roughly 20 feet from the fence to the property line.

MR. LANDER: Plus the grade goes up there anyway.

MR. NGUYEN: But we don't look at how far from people's house to the fence but my best guess roughly 50 feet.

MR. LANDER: So now you're going to close your other entrance down and make this entrance here?

MR. NGUYEN: No, the other one we leave it alone but this one we just service station but we make connections, too.

MR. LANDER: You have to submit to the County for that.

MR. MCMANUS: Bob has spoken and they were not too long ago maybe last week but I know he was physically out on the site with the County engineer, I don't, I can't tell you what transpired because I wasn't there at the time, but I do know that Bob has been working with the County on siting this as far as the location for the site plan.

MR. MANCRONI: He had a preferred recommendation of where he wanted it in, this artist's rendition, this is what the new portion would look like behind the buffer, we hope to maintain it's about halfway up the hill, it's probably better to turn this around actually and show you, okay, this is the existing substation, the chain link fence basically to the southeast so you're talking there's an existing--is there a pole here?

MR. NGUYEN: Yeah.

MR. MANCRONI: He actually thought this would be the best place for the road. We're looking at this depending on the amount of cut we take out, he may shift it up, but he didn't want it any further than down the hill, he thought if we got it too low, it would be almost too settled down low so he suggested sifting it, shifting it a little higher, this is still being looked at but this is where he suggested where it should be.

MR. PETRO: I don't want to take up your time or the board's time because let's see the right way to tell you this, you need to, we're going to need a full site plan for this, all right, and obviously, we're going to have a public hearing, there's a lot of questions about this and I'm not going to ask them all because I don't think any of us here are qualified to ask the right questions as far as emissions from this unit, I don't know if you have radiation or whatever may come, I don't know. I know you're shaking your head but you're going to have to explain to us and probably the public and to the Town Board exactly what you're building there and what it does to surrounding homes, the area. Obviously, we need a site plan. I would treat everything that you're building, the building on the site plan, obviously, you won't have any zoning problems as far as the setbacks, I don't know if you have a zoning problem from the use of the property, we need to look into that. I'm not sure. I don't want to say yes or no at this time. The curb cut has to go to Orange County, we have to treat it as normal curb cut. We need DOT approval from the County, you know, you're going up a hill, it's a very, very dangerous hill that you want to do this, so that's a very important part of this project is that second curb cut. I know you have already talked to him, they give you verbals but that's a whole other process. The bottom line is this is going to be a full site plan, make a site plan like you're putting a building, we need to know all the details. Frankly, I don't know, it might be a pos dec on this because I don't know what affect that would have on the surrounding area, I don't know, I'm sure that I'm crazy, like a radio tower, there's no waves coming out of it but you need to tell us that we need it in writing. I need some hard facts and understand

exactly what you're doing there. The comment you made earlier is that you need the electric capacity, we need it here and we're sensitive to that. In other words, we're not going to say no, don't build it there, we don't want it, go away, but make sure we have enough electric. So I think the board and the Town is willing to look into it, see what you want to build there but it's too much of a sensitive issue I think for the location that it's in which is frankly in the center of town and on an extremely busy road not to have all the facts and know exactly what we're doing, we being the Planning Board, Planning Board's engineer and the Town Board because I'm sure that when we have the public hearing, this room's going to be full and I don't want to sit up here going like humina, humina, humina (phonetic). So can you prepare a full site plan, make an application and we'll start the process. Hopefully, it won't take too long. I know you want to get it up and going. I'm sure Ronny's questions, it's on a hill, you have need retaining walls, topo map, going to be some lighting, landscaping is going to be very important, treat it like it's a building that you're building there. We'll see you when you make a formal application.

COVINGTON ESTATES

Mr. Tim Miller and Mr. Ross Winglovitz appeared before the board for this proposal.

MR. PETRO: Please bring the rest of the board up to par, why you are here and what are we doing. We have, the town being we have received a letter, two page letter from the Town Historian, Glen Marshal, and his concerns over where the Town owns the property and that property is where the spine road is going into this complex which used to be and old historic Continental Army site. I do want it mention that it had been disturbed in the past, there was a road over top of it, a lot of it has already been blacktopped, it's in disrepair now and I would say maybe in the '20s or '30s as a lot of this site, the old Temple Hill Road road went through the site and came out to Vails Gate which is a single lane road. So that sparks some more interest in the project and the Town attorney and Mark, myself and who else was there, Mark and Mike Babcock had a meeting and come up with some ideas to make this look more conducive to being a historical site, if you want to call it a historical site, I'm not sure that we do. So a letter had gone out to the applicant with some of the comments that were made, I don't necessarily agree with some of the comments and it was too much for me to go over by myself, so I thought I'd bring it to the board and get everybody's opinion, see what they thought and go from there. Also tonight I had asked Henry Kroll, the Highway Superintendent, to join us because one of the comments was that the road going into this development which eventually I would like to see some day be a Town road to connect from here to Vails Gate Heights, even though a lot of people are not in favor at this time, some day may come to pass that the road be actually made out of the pavers. And I think Mr. Kroll wants to talk about that a little bit. We'll get to that. We also asked the applicant to do Belgian blocks in the curbing which he agreed to in the spine road. There was some talk of removing the entire clubhouse and pool and putting it over where these units are in the corner, the right-hand corner of that map, remove those units so we didn't have to look at the clubhouse and the pool from the road. I was not



necessarily in favor of that. I said we'd discuss it and the applicant has informed me since then that they would just remove that completely, they don't want to lose the units, they cannot lose the units. And our answer usually is that we're not interested in monetary figures to maximize your property but in this particular case, if he's willing to remove it, he doesn't need it. I think he told me that it's on the borderline of whether you need a clubhouse or not, so they did remove it and make a little park in there and give Mr. Marshal one of his plaques and that this was a historic site. I want to talk to Mark about removing that completely because I never mentioned that. We had also talked about the stone walls along the entire length of the 50 feet right-of-way which they are not opposed to, they would like some relief in the middle because it creates problems for sight distance, sidewalks, and I'm not sure that Mr. Kroll wanted it in the first place. We're going to get to that also. All right, I've talked enough. So I don't know how you want to approach this. Mark?

MR. EDSALL: I think probably the most sensible way would be to go through the letter that was sent to the applicant raising the potential improvements and then just seek comment.

MR. ARGENIO: So you're going to go an item at a time?

MR. PETRO: Yes.

MR. EDSALL: Do you have the letter or no?

MR. LANDER: Who was that letter by?

MR. EDSALL: I had written a letter at the request of those attending the meeting.

MR. PETRO: Basically, the Town attorney.

MR. EDSALL: Which was a letter that went out on November 5.

MR. PETRO: I had called Mark because I was very uneasy with the whole meeting and I didn't agree with all of

the meeting and I had asked Mark not to send the letter until we had them in here for discussion. Unfortunately, the letter went out. I asked Mark to call the applicant which he did and say you're coming in for discussion, don't go panicking over the letter, that's why they're here. They're here to discuss the comments from the Town attorney and we also need to have some sensitivity to Glen Marshal. I don't want to just say forget it, we're not interested, but we have to be very realistic and try to understand the whole thing. I can do some from memory.

MR. EDSALL: Start off with the road.

MR. PETRO: Road detail 50 foot wide, I don't think anybody's disputing that that's not a good idea, is that correct?

MR. ARGENIO: Right-of-way or pavement?

MR. PETRO: Right-of-way itself on the Town property so that's not an issue. We then asked the applicant to put in Belgian block for curbing, that's not an issue.

MR. ARGENIO: Save you four or five dollars a foot, should be happy with that.

MR. PETRO: It does give a nice look to the project. Okay, now, let's get to the next one, the stone walls on the sides of the road, why don't you tell us what you want to do then? Henry, maybe you want to talk about that?

MR. ARGENIO: We're just talking about exclusively the spine road?

MR. PETRO: Right, when you show them where the railroad track is so they know where it is and dead-ends into that railroad and eventually, some day I would like to have it opened up from 207 over there so that's a reason for this also.

MR. WINGLOVITZ: With what we'd propose to do with the stone walls to provide stone walls at the entranceway up to the first intersection and then provide them as a

delineation beyond the road where the right-of-way is so that any future use of that people will realize that there's something proposed there, that was your request. We did not want to provide them in the middle for safety reasons for sight distance. We have a lot of driveways, there will be kids, we don't want people playing on top of the stone walls.

MR. PETRO: I think the stone walls in the entranceway would do what the historian is looking for, I mean, because you're not going to see up in there anyway.

MR. ARGENIO: All the way to the intersection.

MR. MILLER: We've a stone entry feature, if you remember the landscape plan, there's a curbed stone entry feature with plantings so the stone would extend from the entrance feature back along the 50 foot.

MR. ARGENIO: Indigenous stones, correct?

MR. MILLER: Correct.

MR. EDSALL: Are those your entry feature, where is that physically located on the entrance?

MR. WINGLOVITZ: Either side of the entrance.

MR. EDSALL: On the back of the right-of-way?

MR. WINGLOVITZ: Yup, behind the right-of-way line.

MR. EDSALL: So it's part of the site plan?

MR. WINGLOVITZ: Yes.

MR. KARNAVEZOS: How high are the walls?

MR. PETRO: 35 feet.

MR. ARGENIO: 36 inches.

MR. EDSALL: Three feet is what we talked about.

MR. PETRO: Mark, keep notes of everything we're doing.

MR. EDSALL: I'm trying.

MR. MILLER: There's an existing stone wall that extends along the property line on this side of the open space area, we would retain that stone wall as well.

MR. ARGENIO: Let me interject. You're going to create a detail for the stone walls, yes?

MR. EDSALL: No, we're going to get a submittal.

MR. ARGENIO: My only point is a stone wall is not a pile of rocks lineally along the side road, a stone wall is a laid up, dry laid stone wall, they can move, the frost doesn't affect it but it's laid up by hand and not a wind row of rocks.

MR. WINGLOVITZ: Yes.

MR. PETRO: Let's go over the concept. We're going to have the stone wall from 207 to the first intersection, then would pick up at the second intersection and go to the property line as delineation for future and the reason for the one in the back so people buy those two units on the sides, they realize that there's a road there possibly some day and that it's just, we don't have what we had across the street with people screaming.

MR. EDSALL: So it's from 300 up to the first intersection then on the back end from the property line into that intersection.

MR. PETRO: Correct, and for two different functions, the first function for the historic look and the second one is to delineate the road.

MR. EDSALL: And you'll set them at the back of the property line or the right-of-way line?

MR. WINGLOVITZ: Correct.

MR. PETRO: Next issue, which is the most sensitive for

me was instead of having blacktop put on this road that it would be built with pavers. Henry, you want to talk about that?

MR. KROLL: Pavers?

MR. PETRO: Yeah.

MR. KROLL: Just that I'm opposed to pavers.

MR. PETRO: Any specific reason?

MR. KROLL: Maintenance, future problems if we decide to extend the road, I don't want to take over that problem.

MR. MILLER: We don't want to do the pavers.

MR. ARGENIO: Mr. Chairman, I agree with Mr. Kroll for similar reasons and I think that we can make the historical impact in the roadway surface using other means that are less maintenance to save the taxpayers money and will look just as good and last just as long.

MR. PETRO: Tom, what do you think?

MR. KARNAVEZOS: I agree, you start putting down pavers, next thing you know you have a water line problem or you have a sewer line problem, you're digging it back up and I don't care how many times, it never goes back the same way.

MR. LANDER: It's tough to match them, they can have 5 percent extra but--

MR. ARGENIO: Take a ride down South Street, if I may, I don't know, the State of New York when they did Marine Drive probably 16 or 17 years ago they did the intersection of Liberty Street and Marine Drive and I think Balmville Road going, they did that whole thing in pavers, just the intersection to set off the historical district of the City of Newburgh. Now maybe we can consider doing the intersections, I think it might be a nice idea.

MR. WINGLOVITZ: Small part of entry feature.

MR. ARGENIO: Maybe a crosswalk at the entry feature.

MR. PETRO: He had another alternative, you know, the blacktop where you carve in the--

MR. ARGENIO: Negative, not here, no way.

MR. MILLER: We would certainly wouldn't object to the first 25 feet of the entryway having pavers in that section.

MR. ARGENIO: The street print is a very good product but it tends not to hold up as well as many other things that I can think of when it's subjected to high vehicular traffic, high volumes of vehicular traffic.

MR. MILLER: That would be in this area here.

MR. EDSALL: Just another curve ball to throw in, although we may agree that's a wonderful idea, just remember that intersection needs DOT jurisdiction, they may not approve it anyway.

MR. MILLER: That was something we discussed also, so it would be subject to the DOT's sign-off.

MR. EDSALL: Right, so we have to wait for that.

MR. PETRO: They're not going to allow pavers in the right-of-way.

MR. MILLER: It wouldn't be within their right-of-way but in our property but you still have to meet their criteria for the connection and whether or not it would meet it I'm just not certain.

MR. PETRO: I think going in 12 feet to get to the property line or Town of New Windsor property line with blacktop and then have a little section of pavers then having blacktop, it's just hokey.

MR. KROLL: Wouldn't look right, the entrance with pavers would look nice, why don't you apply to the DOT,

see how it goes.

MR. MILLER: Water gets in between the pavers and the asphalt then you're going to have potholes in that section and it's just not going to wear well.

MR. PETRO: I still think do a nice blacktop job, you have the stone walls, you have the Belgian block curbing, I think that's more than sufficient, we're across from Strober King and a car lot and across from the steel plant and Minuteman and other things in the area. I like all those places but--

MR. ARGENIO: Doesn't sound like it.

MR. LANDER: He's right.

MR. PETRO: Let's put a guy in Dockers and give him a Rolex, it's a smart move. We didn't finish this, as far as I'm concerned, let me poll the board. Tom?

MR. KARNAVEZOS: I agree.

MR. PETRO: Just blacktop on top of everything I just said.

MR. KARNAVEZOS: Like you said in the approach area, if they want to do a small little something.

MR. PETRO: Come up with an idea.

MR. WINGLOVITZ: What I'm hearing from Jim, the only thing that would make sense would be to start it at the edge of the road, we don't think the DOT's going to accept that.

MR. PETRO: I think you're already making it look--

MR. MILLER: The fact of it is the pavers aren't historic, gravel's historic so pavers are no more historic than asphalt.

MR. LANDER: I don't think the State's going to let you do it anyway, I don't see blacktop and pavers and blacktop.

MR. ARGENIO: Again, I like the idea of blacktop pavers and blacktop but if everybody is moving in the other direction and Mr. Marshal is amenable to having a paved road and I don't think Mr. Kroll takes any exception to having a paved road, that's the direction I'm going. I don't feel incredibly strong, I think you're right, the stone walls are going to set the place off and the Belgian block curb is nice.

MR. PETRO: I think you have stone outcroppings throughout the whole area so it's going to blend with the theme of the stone walls.

MR. PETRO: So you know where we're going, right?

MR. WINGLOVITZ: Right.

MR. PETRO: We're going to go to the clubhouse.

MR. EDSALL: Why don't we not vary too far the other issue with the road was the fact that that road is a dedicated road or a dedicated property, that's a proposed town road. Setbacks, do you comply with front yard setbacks on the units?

MR. WINGLOVITZ: Yes, we do.

MR. PETRO: He changed them.

MR. EDSALL: Because that was another issue so that's resolved.

MR. PETRO: He took the 50 foot and moved them back.

MR. WINGLOVITZ: Yes, we did.

MR. EDSALL: The other thing that with the road is part of your treatment of that entrance just call out the areas that are not going to be disturbed, even if you extend it along the property line to any areas that you're going to maintain a buffer along 300.

MR. MILLER: Talking about along here?



MR. EDSALL: Yes, just call out whatever it is.

MR. WINGLOVITZ: It's going to be in our best interest to maintain a buffer.

MR. EDSALL: It's to your advantage and tends to not promote visually the development being seen when you go down through there so just call that as a non-disturbance area.

MR. WINGLOVITZ: Not a problem.

MR. EDSALL: Anything else you want done on the entrance historical?

MR. PETRO: No but we're going to talk, part of the next issue was going to take up some of that where the clubhouse is.

MR. EDSALL: That's next.

MR. PETRO: The clubhouse they felt they didn't want to see it from the road, they being I suppose Mr. Crotty and Mark was there and Mike, I don't know whoever brought it up. And originally we are going to see the units in the corner, can you just point out the units 2, 4, 6, 8, 10 units, remove those units completely, put the clubhouse over there, no units, he's got to lose the units and I felt that was myself I thought that was a little bit further that we should ask, I was just talking with the applicant outside. Tell us what you want to do.

MR. MILLER: What we had thought about based on the historian's comments and based on the location so forth we've got a stone wall that exists here and we have proposed to put a stone wall along here as we discussed earlier, what we think makes sense for this area would be to put the historic monument in that area as requested by the historian, we'd be happy to get a paragraph from the historian whatever he feels is appropriate for us to state on that monument and then basically, the rest of the area we would use as passive open space, we'd have some benches in there, it would be an area where people could go walk their dogs, sit

down, relax, that type of ambiance so to speak, low maintenance area and it would be a nice buffer.

MR. PETRO: Create a mini park with a historic overtone for the site.

MR. MILLER: I prefer to call it passive open space because park has connotations.

MR. PETRO: Can you generate a small plan? When you say a monument, build a monument, take a big bolder, put a plaque on it?

MR. ARGENIO: With a wood slat fence adjacent to 207 to keep people's kids from running into the highway, 300, I meant, 300, something there to keep people's kids from running into the highway, I think it's a nice idea.

MR. PETRO: Razor wire works very good.

MR. ARGENIO: Electric fence.

MR. PETRO: Is that proper?

MR. KRIEGER: That would give rise to certain unfortunate questions.

MR. PETRO: We can't do that so come up with an alternative.

MR. KARNAVEZOS: The only other question I have even if you make it a passive type area where there's benches, are you going to run into a problem with people wanting to park? Are you going to put some kind of parking spaces?

MR. WINGLOVITZ: We have pedestrian access to the site for this area, actually, the whole pedestrian setup is to provide it down there.

MR. PETRO: Sidewalks are going to be inside the stone wall so you'd have to have some openings to get into the park through the stone wall.

MR. WINGLOVITZ: Yes.

MR. PETRO: So you're proposing to eliminate completely the pool, the clubhouse and that's it, they're going to stay where they are, you're going to use park, I know you don't like park but let's use it because it's in my brain, but what do you--so eliminating the pool and clubhouse.

MR. EDSALL: There's no requirement that Mike and I can see that you have to have it, so if this particular site you believe it's appropriate not to have amenities then, the applicant feels in their offering that the type of project he's developing doesn't warrant it, then I think you have the flexibility to accept it that way.

MR. PETRO: That's the first thing I asked the applicant, he felt if the units would still be saleable without having the amenity and he said it wouldn't have an affect at all, that's strictly his business, as far as the sale of the units. It's our business as to whether or not it should be there or shouldn't. There's nowhere else on the site that you could put it if you wanted it without losing the units?

MR. WINGLOVITZ: No place that would make sense.

MR. PETRO: How about eliminating that, no, that's still up front, eliminating one unit somewhere and making that into a clubhouse for all the other units, is that a possibility? So the two in the little cul-de-sac area there do you feel by losing the two units and having the clubhouse that you will get more for the other units to make up the lost--

MR. WINGLOVITZ: That's not what our people tell us based on the size of this development, this type of recreation is not necessity actually passive open space, would be actually better in providing a type of recreation.

MR. PETRO: I don't have a problem with it. Do any of the members have a problem with that?

MR. LANDER: No.

MR. PETRO: Or disagree with that concept? Jerry?

MR. ARGENIO: No, I don't.

MR. PETRO: I live in a nice house and there's no clubhouse and pool there.

MR. WINGLOVITZ: These will be nice units and that's what the market analysis is saying, they're going to be nicer units, it's not something that they need.

MR. ESDALL: Last item was whether or not you want to address the grades through to Vails Gate Heights now, the profile.

MR. PETRO: He already did it, I've talked to the applicant, I had asked that the applicant also design the road from wherever it need be, the spine road, so if we should ever connect into the other side of the railroad track, which is Vails Gate Heights, that the contour of the road or the height of the road would match the other side and make it more feasible, no sense leaving it way up 9 feet, building a road when by building it down some day a bridge or tunnel or a grade crossing is more feasible, so you've done your work or in the process.

MR. WINGLOVITZ: We've looked at, we'll provide the information to Mark. Basically, we don't believe the grade crossing is going to be feasible. I mean, I've dealt with Conrail on several of those, no way, Jose, too much liability, they're going to want an above-grade crossing and the elevation we have is conducive to that.

MR. PETRO: To an above-grade, how about connecting to the other side?

MR. WINGLOVITZ: That would have to be built up on the other side, I think that's 6 feet above the roadbed, we're about 20 feet above the roadbed.

MR. PETRO: So no matter what, that would be the way to

go, you're never going to go under it.

MR. EDSALL: The bottom line is we need to, we need to nail down how the grades would work so once you're locked in, we know that we've got a workable plan.

MR. WINGLOVITZ: We can show profile to Mark, show what Conrail's requirements are for the overpass so he can see how the grade will work right into the bridge.

MR. PETRO: No matter what it's on the other side. He'd be prepared on his side to go over the top.

MR. EDSALL: You've got a control point above the tracks.

MR. WINGLOVITZ: Exactly, they have an envelope, this is the envelope that you have to maintain if you want to go over, we'll show you that envelope and show you how this works with that.

MR. EDSALL: Does your profile go back into Vails Gate Heights?

MR. WINGLOVITZ: Yes, as far as we get information for.

MR. EDSALL: Why don't you have that information on the file so if the Town decides along the way to apply for a grant we at least can get a handle on what type of work's involved on our side.

MR. PETRO: Any comment, Henry?

MR. KROLL: No.

MR. ARGENIO: I have one last thing but it's not in association with the grade crossing.

MR. PETRO: We're done, okay.

MR. ARGENIO: I don't want to back up, I'm not the guy that wants to back up, but let me just say this, a lot of things were discussed about the road, is there going to be street lights on the road?

MR. PETRO: Keep in mind it's not a Town road, the Town owns the property for further dedication at some point.

MR. EDSALL: I think where Jerry's heading whether or not there's an appropriate type unit that can be put in.

MR. ARGENIO: They've got a huge Pasadena, 60, 70, 80 bucks a square foot. I think Montgomery Street in the City of Newburgh looks beautiful with the old fashioned lights. How many lights could you be talking about, 6, 7, I don't know. Again, I don't want to back up, Jim, just a suggestion that I'm throwing out.

MR. DAVID WEINBERG: I don't remember, do the plans show lighting?

MR. WINGLOVITZ: No.

MR. PETRO: On none of the streets.

MR. EDSALL: One of the things we asked for was distinguish street lights. Why don't you look at the fixtures.

MR. ARGENIO: I mean, I'm sure it's not a huge amount of money and it really looks nice.

MR. PETRO: Come up with a historic theme for the spine road.

MR. EDSALL: You might be able to use the same style on the site lights but just a smaller shorter unit.

MR. PETRO: Good thinking, Mr. Argenio.

MR. ARGENIO: I try. I have nothing else to say on this subject. Thank you.

MR. PETRO: Anything to add?

MR. KROLL: Nothing.

MR. MILLER: We just wanted to discuss one other thing we talked to you about out in the hallway that relates

to the dumpsters variance, curbside pickup, one of the things that our people were telling us is that there's a preference to, it would be private curbside pickup but there's a preference for the homeowner to have the curbside pickup as opposed to having to take their stuff to the dumpster. There's two ways of doing it, one would be to eliminate the dumpsters entirely and propose curbside pickup, the second one would be to show that the dumpsters are a site plan matter and if at some point in time there was a concern that curbside pickup wasn't working as a condition of the site plan approval, the board would have the right to require the dumpsters placed at a future date and time if so wished. We wanted the board's feeling about that before we closed this out.

MR. WINGLOVITZ: This is a development where everybody is going to have their own garage so there's a spot for everybody to put their own garage, it's not like it's an apartment where you don't have any place to go with it and we find that people clean up after themselves a lot better if it's not over there, it's not their garbage anymore, it's spilling over every place, they don't care. Where here, it's their responsibility to keep it clean and we found it works pretty well. If we leave them on with the assurance if the building inspector finds it to be a hassle, if he can ask that it be constructed.

MR. PETRO: Let me suggest this, I'll make one small suggestion, build the enclosures, that's it. Anything else?

MR. MILLER: No.

MR. LANDER: Everybody complaints about having to take their garbage and carry it all the way down to the dumpster enclosure.

MR. MILLER: Are you saying if we built the enclosures, we can still have curbside pickup?

MR. PETRO: I don't care about that, why would that affect the Town?

MR. EDSALL: Bottom line is by having the recycling areas built, landscaped, done properly, it will function either way, whereas then we don't have to deal with the complaint that if you come back later to build them, we have a riot in the audience here. If you build them, they can be available for bulk disposal and you still have curbside pickup. Fine.

MR. DAVID WEINBERG: Can we use the dumpster locations as a recycling areas?

MR. EDSALL: Yes.

MR. DAVID WEINBERG: Fine.

MR. BABCOCK: If you go to put them in later, whose house are you going to build them next to?

MR. DAVID WEINBERG: So if we put them in, is there an objection if we also have curbside service?

MR. PETRO: No.

MR. LANDER: As long as we have cans and not bags put out, they're in cans and they have to be brought back maybe within three or four hours or something like that.

MR. PETRO: Okay, thank you. Motion to adjourn?

MR. ARGENIO: So moved.

MR. LANDER: Second it.

ROLL CALL

MR. ARGENIO	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE



November 13, 2002

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MR. PETRO

AYE

Respectfully Submitted By:

A handwritten signature in cursive script, appearing to read "Frances Roth". The signature is written in dark ink and is positioned above the printed name and title.

Frances Roth  
Stenographer